

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

JAN 31 2024

**U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.
)
JONATHAN CROWDER,)
)
Defendant.)

4:24CR043 SEP/SRW

MOTION FOR PRETRIAL DETENTION AND HEARING

The United States of America, by and through its Attorneys, Sayler Fleming, United States Attorney for the Eastern District of Missouri, and Nichole E. Frankenberg, Assistant United States Attorney for the District, moves the Court to order Defendant detained pending trial and further requests that a detention hearing be held three days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is currently charged with one count of being a Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1). At the time of his offense, the offense carried a maximum of 10 years' imprisonment.

The Nature and Circumstances of the Offense

2. Pursuant to Title 18, United States Code, Section 3142(g)(1), the nature and circumstances of the charged offenses warrant pre-trial detention. On June 3, 2020, police were called to a residence due to reports that defendant was flourishing a firearm in a threatening manner and threatening to kill an occupant of the residence. Numerous children were present in the residence at the time. A mini Draco firearm with one round in the chamber and a fully loaded 37 round magazine was located in the garage. A black scope had been taped to the top of the firearm. A mini Draco fires 7.62 x 39 caliber rifle shells. DNA analysis of the firearm confirmed defendant to

be the source of the major contributor profile on the trigger and hand guard of the firearm. After being advised of his *Miranda* rights, Defendant told police at the scene that he gave the gun to his son to hide. Later when speaking with officers at the station, the defendant denied having possessed a firearm.

The Weight of the Evidence

3. Pursuant to Title 18, United States Code, Section 3142(g)(2), the weight of the evidence supports pre-trial detention. The Defendant is a felon and his DNA was located on a loaded firearm after multiple witnesses told police that Defendant flourished the firearm.

Defendant's History and Characteristics

4. Pursuant to Title 18, United States Code, Section 3142(g)(3), Defendant's criminal history weighs in favor of detention. Defendant's criminal history reflects the following felony convictions:

- Saint Louis County, 2103R-01470B-01, *State of Missouri v. Jonathan Crowder*
 - Charge: (1) Burglary, Second degree, C Felony
(2) Stealing, C Felony
 - Sentence Date: 10/05/2007
 - Sentence: After revocation, 5 years DOC
- Saint Louis County, 14SL-CR09293-01, *State of Missouri v. Jonathan Crowder*
 - Charge: Resisting Arrest, D Felony
 - Sentence Date: 7/23/2015
 - Sentence: 4 years DOC
- Saint Louis County, 14SL-CR09298-01, *State of Missouri v. Jonathan Crowder*
 - Charge: Resisting Arrest, D Felony
 - Sentence Date: 7/23/2015
 - Sentence: 4 years DOC
- Saint Louis County, 15SL-CR01180-01, *State of Missouri v. Jonathan Crowder*
 - Charge: (1) Burglary, First degree, B Felony
(2) Stealing, C Felony
(3) Burglary, Second degree, C Felony
(4) Stealing, C Felony
 - Sentence Date: 7/23/2015
 - Sentence: 5 years DOC on all counts, to run concurrently

Danger to the Community

5. Pursuant to Title 18, United States Code, Section 3142(g)(4), Defendant should

be detained pending trial due to the danger he poses to the community. Given his prior convictions, and the nature and circumstances of the present offenses, no alternative set of restrictions will be sufficient to protect the public.

6. In addition to the above criminal convictions, the defendant had been confined in the Saint Louis City Justice Center since September of 2021 in cause number 2122-CR01401-01. Those charges against defendant began as Assault in the First Degree, having to do with the shooting of Kent Hamm on September 10, 2021. Mr. Hamm was the grandfather of three of defendant's children and was able to identify Defendant as having shot him before passing away. Upon Mr. Hamm passing, charges against Defendant were amended to Murder in the First degree. In addition to the Murder, the defendant was also charged with Armed Criminal Action and Unlawful Use of a Weapon (shooting at a motor vehicle). On January 26, 2024, a *nolle prosequi* was filed in the above referenced case by the State of Missouri and the defendant was released from custody on those charges.

7. In addition to the above referenced murder, the defendant is a suspect in the following serious violent felonies: the September 7, 2021 Unlawful Use of a Weapon involving Mr. Hamm's daughter; the September 8, 2021 shooting and murder of Tony Foster; and the September 14, 2021 shooting and murder of Brian McIntosh.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER FLEMING
United States Attorney

/s/ Nichole E. Frankenberg
NICHOLE E. FRANKENBERG, #61126(MO)
Assistant United States Attorney